

## UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Ipolito CARPIO-RECINOS

Case:2:18-mj-30425  
 Judge: Unassigned,  
 Filed: 08-07-2018 At 11:29 AM  
 USA v. IPOLITO CARPIO-RECINOS (CMP)  
 (MLW)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 30, 2018 in the county of Wayne in the  
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
Title 8, United States Code, Section 1325(a)	Improper Entry by Alien

This criminal complaint is based on these facts:


On or about July 30, 2018, at or near Detroit, Michigan, in the Eastern District of Michigan, Southern Division, Ipolito CARPIO-RECINOS, an alien from Guatemala, entered or attempted to enter the United States at any time or place other than as designated by immigration officers; in violation of Title 8, U.S.C., Section 1325(a).

☒ Continued on the attached sheet.


Sworn to before me and signed in my presence.

Date: August 7, 2018

City and state: Detroit, Michigan

  
 Complainant's signature

Michael Everson, BPA  
 Printed name and title

  
 Judge's signature  
 ANTHONY P. PATTI  
 UNITED STATES MAGISTRATE JUDGE  
 Printed name and title

**AFFIDAVIT**

I, Michael Everson, declare the following under penalty of perjury:

1. I am a Border Patrol Agent with the United States Department of Homeland Security, United States Border Patrol. I have been employed in this capacity since December 2011. Currently, I am assigned to the Prosecution Unit at the Detroit Border Patrol Station. In such capacity, which requires me to identify, locate, apprehend and remove aliens who are in violation of the Immigration and Nationality Act, I investigate criminal violations.
2. The information set forth below is for the limited purpose of establishing probable cause. Therefore, this affidavit does not necessarily contain all of the information collected during my investigation.
3. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers to include Border Patrol Agents.
4. Ipolito CARPIO-RECINOS is a twenty-five-year-old male, native and citizen of Guatemala, who last entered into the United States on July 30, 2018, at or near Detroit, Michigan, without being admitted, inspected or paroled by an Immigration Officer.
5. On July 30, 2018, at approximately 2:00 a.m. Detroit Border Patrol Agents were alerted by radio dispatch that officers from the U.S. Customs Border Protection (CBP) cargo facility observed, via surveillance cameras, two subjects entering the Michigan Central Railway Tunnel from the Canadian side. The CBP Officers relayed that both subjects were walking through the tunnel towards the U.S. side. The Michigan Central Railway Tunnel is a railroad tunnel under the Detroit River that connects Detroit, Michigan in the United States with Windsor, Ontario, Canada. The tunnel is a total of 1.6 miles in length.
6. Shortly after the dispatch alert, Border Patrol Agents encountered CARPIO-RECINOS emerging from the train tunnel entrance, on foot, in Detroit, Michigan. Agents questioned CARPIO-RECINOS to his citizenship and he stated that he was a citizen of Guatemala. CARPIO-RECINOS told the agents that he entered the United States to find work and that he did not possess any documentation that would allow him to enter or remain the U.S. CARPIO-RECINOS was placed

under arrest and transported to the Detroit Border Patrol Station for processing.

7. Ipolito CARPIO-RECINOS's fingerprints and photograph were captured and entered into the Automated Biometric Identification System (IDENT) and the Integrated Automated Fingerprint Identification System (IAFIS). The record checks did not provide any evidence that Ipolito CARPIO-RECINOS legally entered the United States or had been issued any documentation that would allow him to enter or remain the United States.
8. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
9. Based upon the above information, probable cause exists to believe that Ipolito CARPIO-RECINOS illegally entered or attempted to enter the United States at any time or place other than as designated by immigration officers; in violation of 8 U.S.C. § 1325(a).



Michael Everson, Border Patrol Agent  
United States Department of Homeland Security  
United States Border Patrol

Subscribed and sworn to before me this August 7, 2018.



Anthony P. Patti  
United States Magistrate Judge  
United States District Court  
Eastern District of Michigan